

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEREK JAMES GRAHAM, et al.,

Plaintiffs,

v.

VALLEY FORGE MILITARY ACADEMY  
AND COLLEGE, et al.

Defendants.

CIVIL ACTION  
NO. 19-1362

**ORDER**

**AND NOW**, this 27th day of November 2019, upon consideration of the Amended Complaint (Doc. No. 26), Defendants' Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 27), Defendants' Consolidated Reply Memorandum of Law In Support of [Their] Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 28), Plaintiffs' Brief in Opposition to Defendants' Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 29), Defendant Valley Forge Military Academy & College's Reply Memorandum in Support of its Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 31), Plaintiffs' Sur-Reply in Opposition to Defendants' Motion to Dismiss Plaintiff's Amended Complaint (Doc. No. 32), and in accordance with the Opinion of the Court issued this day, it is hereby **ORDERED** that:

1. Defendants' Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 27) is **GRANTED**. The Amended Complaint (Doc. No. 26) is **DISMISSED WITHOUT PREJUDICE**. Plaintiffs shall have twenty-one (21) days to file a Second Amended Complaint, if warranted.
2. Defendant Valley Forge Military Academy Foundation Board of Trustees is **DISMISSED** as a Defendant in this case.

3. Defendant John English is **DISMISSED** as a Defendant in this case.

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.